

# HOUSE BILL 17

E1, E2  
HB 1264/11 – JUD

(PRE-FILED)

2lr0935

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By: **Delegate Glenn**

Requested: November 15, 2011

Introduced and read first time: January 11, 2012

Assigned to: Judiciary

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## A BILL ENTITLED

1 AN ACT concerning

2 **Crimes – Elder Abuse or Neglect – Increased Penalties and Restrictions on**  
3 **Pretrial Release**  
4 **(The John H. Taylor Act)**

5 FOR the purpose of altering the penalties for the crime of causing abuse or neglect of a  
6 vulnerable adult in the first or second degree; prohibiting a District Court  
7 commissioner from authorizing the pretrial release of a defendant charged with  
8 causing abuse or neglect of a vulnerable adult in the first or second degree;  
9 providing that a judge may authorize the pretrial release of the defendant on  
10 certain conditions; requiring the judge to order the continued detention of the  
11 defendant if neither suitable bail nor other conditions will reasonably ensure  
12 that the defendant will not flee or pose a danger to a certain person or the  
13 community before the trial; and generally relating to elder abuse or neglect and  
14 increased penalties and restrictions on pretrial release.

15 BY repealing and reenacting, without amendments,  
16 Article – Criminal Law  
17 Section 3–604(b) and 3–605(b)  
18 Annotated Code of Maryland  
19 (2002 Volume and 2011 Supplement)

20 BY repealing and reenacting, with amendments,  
21 Article – Criminal Law  
22 Section 3–604(c) and 3–605(c)  
23 Annotated Code of Maryland  
24 (2002 Volume and 2011 Supplement)

25 BY adding to  
26 Article – Criminal Procedure  
27 Section 5–202(j)

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 Annotated Code of Maryland  
2 (2008 Replacement Volume and 2011 Supplement)

3 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF  
4 MARYLAND, That the Laws of Maryland read as follows:

5 **Article – Criminal Law**

6 3–604.

7 (b) (1) A caregiver, a parent, or other person who has permanent or  
8 temporary care or responsibility for the supervision of a vulnerable adult may not  
9 cause abuse or neglect of the vulnerable adult that:

10 (i) results in the death of the vulnerable adult;

11 (ii) causes serious physical injury to the vulnerable adult; or

12 (iii) involves sexual abuse of the vulnerable adult.

13 (2) A household member or family member may not cause abuse or  
14 neglect of a vulnerable adult that:

15 (i) results in the death of the vulnerable adult;

16 (ii) causes serious physical injury to the vulnerable adult; or

17 (iii) involves sexual abuse of the vulnerable adult.

18 (c) A person who violates this section is guilty of the felony of abuse or  
19 neglect of a vulnerable adult in the first degree and on conviction is subject to  
20 imprisonment not exceeding [10] **20** years or a fine not exceeding [\$10,000] **\$20,000**  
21 or both.

22 3–605.

23 (b) (1) A caregiver, a parent, or other person who has permanent or  
24 temporary care or responsibility for the supervision of a vulnerable adult may not  
25 cause abuse or neglect of the vulnerable adult.

26 (2) A household member or family member may not cause abuse or  
27 neglect of a vulnerable adult.

28 (c) A person who violates this section is guilty of the misdemeanor of abuse  
29 or neglect of a vulnerable adult in the second degree and on conviction is subject to  
30 imprisonment not exceeding [5] **10** years or a fine not exceeding [\$5,000] **\$10,000** or  
31 both.

